

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

SOULFUL NUTRITION INC.,
d/b/a REMEDY ORGANICS,

Plaintiff,

v.

REMEDY DRINKS PTY., LTD., REMEDY
DRINKS USA, LLC, and REMEDY
DRINKSUSA, LLC,

Defendants.

Civil Action No. 2:21-cv-17455(ES-LDW)

**STIPULATION AND CONSENT
ORDER WITHDRAWING
PRELIMINARY INJUNCTION
MOTION WITHOUT PREJUDICE**

Plaintiff Soulful Nutrition Inc. d/b/a/ Remedy Organics (“Plaintiff”) and Defendants Remedy Drinks Pty., Ltd., and Remedy Drinks USA, LLC (collectively, “Defendants”), by and through undersigned counsel of record, hereby stipulate and agree as follows:

1. Plaintiff’s Motion for Preliminary Injunction filed on September 24, 2021 (the “Motion”) will be deemed withdrawn, without prejudice to Plaintiff’s ability to refile the Motion within thirty (30) days following a “Standstill Period” during which discovery shall be stayed as set forth below.

2. If Plaintiff refiles its Motion for Preliminary Injunction following the “Standstill Period,” the renewed Motion will relate back to the original filing date, the time period for which the Motion was withdrawn will be tolled, and Plaintiff will suffer no prejudice with respect to any argument contained in the Motion as a result of Plaintiff’s agreement to withdraw the September 24 Motion for Preliminary Injunction without prejudice. Defendants agree not to use any additional delay resulting from Plaintiff’s agreement to withdraw the September 24 Motion for Preliminary Injunction without prejudice as further reason to deny the relief sought in Plaintiff’s refiled Motion, or otherwise.

3. The expedited discovery and briefing schedule set forth by way of the parties' joint letter and so ordered on October 1, 2021 is stayed for the pendency of the Standstill Period pending refiling of the Motion. All third-party discovery served by either party shall be stayed.

4. Upon refiling of the Motion, the parties will meet and confer in good faith to agree on a revised schedule for the uncompleted portions of the expedited discovery and briefing schedule, with Defendants' opposition to be due approximately 60 days after refiling and Plaintiff's reply due approximately 20 days thereafter.

Stipulated on December 7, 2021:

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Attorneys for Plaintiff Soulful Nutrition Inc.,
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SO ORDERED this 8th day of December, 2021:

A handwritten signature in black ink that reads "Leda Dunn Wettre". The signature is written in a cursive, flowing style.

Hon. Leda Dunn Wettre

United States Magistrate Judge for the District of New Jersey